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Application No.	10/058,951	Prepared by	NMB	Tracking Number	05909526
Examiner-GAU	S. Kierman-1754	Date	4/18/04	Week Date	2123/04
		No. of queries	1		1FW

## JACKET

a. Serial No.	f. Foreign Priority	k. Print Claim(s)	p. PTO-1449
b. Applicant(s)	g. Disclaimer	l. Print Fig.	q. PTOL-85b
c. Continuing Data	h. Microfiche Appendix	m. Searched Column	r. Abstract
d. PCT	i. Title	n. PTO-270/328	s. Sheets/Figs
e. Domestic Priority	j. Claims Allowed	o. PTO-892	t. Other

**SPECIFICATION**

- a. Page Missing
- b. Text Continuity
- c. Holes through Data
- d. Other Missing Text
- e. Illegible Text
- f. Duplicate Text
- g. Brief Description
- h. Sequence Listing
- i. Appendix
- j. Amendments
- k. Other

## MESSAGE

Original claim 9 is being cancelled on Amendment dated 07/24/03. But claim 9 is still shown as allowed in NDA and index of claims.

Please advise.

## CLAIMS

- a. Claim(s) Missing
- b. Improper Dependency
- c. Duplicate Numbers
- d. Incorrect Numbering
- e. Index Disagrees
- f. Punctuation
- g. Amendments
- h. Bracketing
- i. Missing Text
- j. Duplicate Text
- k. Other

Yankyan

initials YMB

## RESPONSE

initials



648.41112X00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: EZUMI, et al.  
Serial No.: 10/058,957  
Filed: January 30, 2002  
For: FRICTION STIR WELDING METHOD  
Group: 1725  
Examiner: Z. Pittman

RECEIVED  
JUL 29 2003  
GROUP 1700

AMENDMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

July 24, 2003

Sir:

In response to the Office Action mailed February 24, 2003, please amend the above-identified application as follows:

IN THE CLAIMS

Please cancel claim 9 without prejudice or disclaimer, and amend the claims remaining in the application as follows:

1. (Amended) A friction stir welding method comprising:  
conducting friction stir welding of at least first and second members, the at least first and second members forming a joint line, the friction stir welding being performed using a rotary tool along the joint line;  
retreating said rotary tool from said at least first and second members being welded, when said rotary tool, moving along the joint line, reaches a position where

07/23/2003 00000014 10058957

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90.00 0P  
84.00 0P

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/058,957	EZUMI ET AL.	<i>ab</i>
	Examiner Colleen P Cooke	Art Unit 1754	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to papers filed 7/23/04.
2.  The allowed claim(s) is/are 1-11 and 16-27.
3.  The drawings filed on 30 January 2002 are accepted by the Examiner.
4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

5.  Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
  - (a)  The translation of the foreign language provisional application has been received.
6.  Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE**

7.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8.  CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1)  hereto or 2)  to Paper No. \_\_\_\_\_.
  - (b)  including changes required by the proposed drawing correction filed \_\_\_\_\_, which has been approved by the Examiner.
  - (c)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the margin according to 37 CFR 1.121(d).

9.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

<input type="checkbox"/> Notice of References Cited (PTO-892)	<input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
<input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	<input checked="" type="checkbox"/> Interview Summary (PTO-413), Paper No. _____.
<input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No. _____.	<input checked="" type="checkbox"/> Examiner's Amendment/Comment
<input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material	<input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance
	<input type="checkbox"/> Other

<b>Issue Classification</b> 	Application No.		Applicant(s)	
	10/058,957		EZUMI ET AL.	
	Examiner		Art Unit	
	Colleen P Cooke		1754	

ORIGINAL			CROSS REFERENCE(S)									
CLASS	SUBCLASS	CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)									
228	112.	228	2.1									
INTERNATIONAL CLASSIFICATION												
B	23	K	20	12								
B	23	K	31	102								
			1									
			1									
			1									
<i>Colleen P. Cooke 1/14/04</i> (Assistant Examiner) (Date)			<i>Stanley S. Silverman</i> SUPERVISORY PATENT EXAMINER TECHNOLOGY CENTER 1700 (Primary Examiner) (Date) <i>1/10/04</i>								Total Claims Allowed: 23	
<i>U.S.</i> (Legal Instruments Examiner) (Date)											O.G. Print Claim(s)	O.G. Print Fig.
											1	2,3

<input checked="" type="checkbox"/> Claims renumbered in the same order as presented by applicant		<input type="checkbox"/> CPA		<input type="checkbox"/> T.D.		<input type="checkbox"/> R.1.47	
Final	Original	Final	Original	Final	Original	Final	Original
1	1		31	61	91	121	151
2	2		32	62	92	122	152
3	3		33	63	93	123	153
4	4		34	64	94	124	154
5	5		35	65	95	125	155
6	6		36	66	96	126	156
7	7		37	67	97	127	157
8	8		38	68	98	128	158
9	9		39	69	99	129	159
10	10		40	70	100	130	160
11	11		41	71	101	131	161
12	12		42	72	102	132	162
13	13		43	73	103	133	163
14	14		44	74	104	134	164
15	15		45	75	105	135	165
16	16		46	76	106	136	166
17	17		47	77	107	137	167
18	18		48	78	108	138	168
19	19		49	79	109	139	169
20	20		50	80	110	140	170
21	21		51	81	111	141	171
22	22		52	82	112	142	172
23	23		53	83	113	143	173
24	24		54	84	114	144	174
25	25		55	85	115	145	175
26	26		56	86	116	146	176
27	27		57	87	117	147	177
28	28		58	88	118	148	178
29	29		59	89	119	149	179
30	30		60	90	120	150	180
							210